

Message Text

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TO AMEMBASSY MEXICO PRIORITY

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E.O. 11652: N/A

TAGS: PDIP

SUBJECT: REQUEST FOR JUDICIAL ASSISTANCE

1. DEPARTMENT HAS RECEIVED REQUEST FROM LOS ANGELES DISTRICT ATTORNEY FOR ASSISTANCE IN OBTAINING PERMISSION OF GOM TO ALLOW THE CUSTODIAN OF RECORDS OF THE REGISTRO FEDERAL DE CAUSANTES TO COME TO LA ON JANUARY 13 TO TESTIFY IN CRIMINAL PROSECUTION OF TWO U.S. NATIONALS IN A MAJOR FRAUD CASE.

2. LETTER FROM LA DISTRICT ATTORNEY EXPLAINS THE CASE AND SPECIFIC REQUEST.

BEGIN TEXT: THE LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE IS PRESENTLY CONDUCTING A CRIMINAL PROSECUTION AGAINST TWO U.S. CITIZENS NAMED LEWIS WILLIAM ZETTELL AND MORTON MAYER GORMAN. THESE TWO MEN, WHO ARE CHARGED IN FOUR SEPARATE COUNTS WITH ARSON; ATTEMPTED ARSON WITH INTENT TO DEFRAUD INSURERS; ATTEMPTING TO BURN INSURED PROPERTY; AND LIMITED OFFICIAL USE

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ATTEMPTING TO MAKE A FALSE INSURANCE CLAIM, ARE SCHEDULED TO HAVE THEIR PRELIMINARY HEARING PRESENTED IN LOS ANGELES MUNICIPAL COURT ON JANUARY 13, 1978 AT 8:30 A.M.

ZETTELL AND GORMAN ATTEMPTED TO OBTAIN \$850,000 IN INSURANCE BENEFITS THROUGH THE USE OF FORGED AND ALTERED DOCUMENTS. SOME OF THE DOCUMENTS USED IN THIS SCHEME ARE

OFFICIAL MEXICAN GOVERNMENT CUSTOMS IMPORT PERMITS. THEY ALSO USED A FRAUDULENT INVOICE FROM COM-IN-SA, A NON-EXISTENT FIRM IN MEXICO CITY, LISTING CISA 700710-001 AS ITS REGISTRO FEDERAL DE CAUSANTES AND CEDULA DE EMPADRONAMIENTO 549327. ZETTELL AND GORMAN ALSO USED THE MEXICAN RED CROSS, WITHOUT ITS KNOWLEDGE OR CONSENT, IN AN ATTEMPT TO PERPETRATE THEIR UNLAWFUL SCHEME.

MANY MEXICAN CITIZENS WHO WERE UNWITTINGLY INVOLVED IN THE FRAUD HAVE BEEN INTERVIEWED IN THEIR COUNTRY BY LA DISTRICT ATTORNEY INVESTIGATORS AND HAVE PLEDGED THEIR WHOLEHEARTED COOPERATION. THIS WILL INCLUDE THEIR TRAVELING, AT DISTRICT ATTORNEY'S EXPENSE, TO LOS ANGELES TO TESTIFY AGAINST ZETTELL AND GORMAN.

TWO OF THE INDIVIDUALS WHO GRACIOUSLY CONSENTED TO A CONFERENCE WITH OUR INVESTIGATORS WERE MR. PABLO BAEZ RIVERA, CHIEF OF THE DEPARTMENT OF CORRESPONDENCE AND ARCHIVES, SHCP, NATIONAL PALACE AND MR. FEDERICO OSUALDO RODRIGUEZ CARILLO, DEPARTMENT OF IDENTIFICATION OF THE REGISTRO FEDERAL DE CAUSANTES, SHCP. IN CONFERRING WITH THESE TWO GENTLEMEN, THE INVESTIGATORS SOUGHT THEIR ASSISTANCE IN HAVING THE CUSTODIAN OF RECORDS OF THE REGISTRO FEDERAL DE CAUSANTES COME TO LOS ANGELES ON JANUARY 13, 1978 TO TESTIFY AS TO THE FOLLOWING:

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1) THE EXISTENCE OR NON-EXISTENCE, AS ESTABLISHED BY RECORDS OR THE ABSENCE THEREOF, OF THE BUSINESS COM-IN-SA IN MEXICO CITY.

2) WHETHER THE REGISTRO FEDERAL DE CAUSANTES CISA 700710-001 EXISTS; IF IT DOES EXIST, WHEN AND TO WHOM WAS THIS NUMBER ISSUED; AND WAS REGISTRO FEDERAL DE CAUSANTES NO. CISA 700710-001 EVER ISSUED TO A BUSINESS CALLED COM-IN-SA.

3) WHETHER THE CEDULA DE EMPADRONAMIENTO NO. 549327 EXISTS.

AS TO NUMBERS 1, 2 AND 3 ABOVE, THE DISTRICT ATTORNEY ALSO RESPECTFULLY REQUESTS THAT THE CUSTODIAN OF RECORDS BRING WITH HIM ALL ORIGINAL RECORDS OR DOCUMENTS WHICH REFER TO COM-IN-SA AND REGISTRO FEDERAL DE CAUSANTES NO. CISA 700710-001. THESE ORIGINAL RECORDS WILL BE PHOTOCOPIES BY MY OFFICE, VISUALLY EXAMINED IN COURT BY THE DEFENDANTS, THE PHOTOCOPIES WILL THEN BE RECEIVED INTO EVIDENCE, AND THE ORIGINAL DOCUMENTS RETURNED FORTHWITH TO THE CUSTODIAN OF RECORDS.

AS REQUIRED BY CALIFORNIA LAW, THE CUSTODIAN OF RECORDS MUST BE AN INDIVIDUAL WHO, IN TESTIFYING AS TO A WRITING, CAN STATE (1) THAT THE WRITING WAS MADE IN THE REGULAR COURSE OF BUSINESS; (2) THAT THE WRITING WAS MADE AT OR NEAR THE TIME OF THE ACT, CONDITION, OR EVENT DESCRIBED IN THE WRITING; AND (3) AS TO HOW THE WRITING OR DOCUMENT WAS PREPARED AND WHERE IT IS KEPT.

THE PRESENCE IN LOS ANGELES OF THE CUSTODIAN OF RECORDS OF THE REGISTRO FEDERAL DE CAUSANTES IS REQUIRED BECAUSE ALL WITNESSES MUST PERSONALLY TESTIFY IN COURT IN ALL CRIMINAL CASES. FAILURE TO PRODUCE THE WITNESS AND DOCUMENTS THAT WE ARE REQUESTING MAY RESULT IN THE DISMISSAL OF ALL CRIMINAL CHARGES AGAINST ZETTEL AND GORMAN.
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LOS ANGELES COUNTY WILL PAY FOR TRANSPORTATION, LODGING, FOOD AND ANY OTHER NECESSARY EXPENSES THAT ARE INCURRED BY THE PERSON DESIGNATED TO APPEAR AND TESTIFY IN THIS PROCEEDING.

YOUR ASSISTANCE IN OBTAINING THE PRESENCE OF THE CUSTODIAN OF RECORDS OF THE REGISTRO FEDERAL DE CAUSANTES IS GREATLY APPRECIATED. PLEASE DO NOT HESITATE IN CONTACTING ME SHOULD YOU HAVE ANY QUESTIONS REGARDING OUR REQUEST. END TEXT.

3. EMBASSY IS REQUESTED TO CONTACT APPROPRIATE GOM OFFICIAL TO SEEK PERMISSION FOR TRAVEL OF REQUESTED OFFICIAL TO L.A. DEPARTMENT FORESEES NO REASON WHY THIS PARTICULAR CASE SHOULD CAUSE CONCERN TO GOM.

4. EMBASSY CAN CONTACT L.A. DEPUTY DISTRICT ATTORNEY MICHAEL MARCUS AT 213-974-3909 IF NECESSARY. CHRISTOPHER

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